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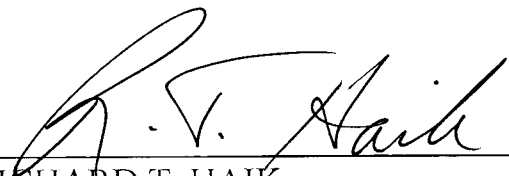
<b>RAMONA MARCEAUX</b>	<b>*</b>	<b>CIVIL ACTION NO. 12-1180</b>
<b>VERSUS</b>	<b>*</b>	<b>JUDGE HAIK</b>
<b>COMMISSIONER OF SOCIAL SECURITY</b>	<b>*</b>	<b>MAGISTRATE JUDGE HILL</b>

Accordingly, IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Commissioner's decision is REMANDED to the Commissioner for further administrative action pursuant to the fourth sentence of 42 U.S.C. § 405(g).<sup>1</sup> This includes, but does not limit, sending the case to the hearing level with instructions to the Administrative Law Judge: (1) to re-contact Dr. Lagarde for clarification, or have

<sup>1</sup>A fourth sentence remand constitutes a “final judgment” that triggers the filing period for an EAJA fee application. *Shalala v. Schaeffer*, 509 U.S. 292, 113 S.Ct. 2625, 2631 (1993); *Freeman v. Shalala*, 2 F.3d 552 (5<sup>th</sup> Cir. 1993).

one of claimant's treating physicians or another consultative examiner issue an opinion regarding claimant's mental residual functional capacity, and (2) to assess claimant's physical residual functional capacity. Claimant shall be afforded the opportunity to submit additional evidence, and to testify at a supplemental hearing with vocational expert testimony, if the Administrative Law Judge deems it necessary after the RFC determination on remand.

THUS DONE AND SIGNED in Lafayette, Louisiana, this 28<sup>th</sup> day of May, 2013.

  
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RICHARD T. HAIK  
UNITED STATES DISTRICT JUDGE